

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Melissa Lopez, Assistant Deputy Clerk.

**F052142      People v. Cogburn**

Cause called and argued by Roger Nuttall, Esq., counsel for appellant and by Charles A. French, Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

At this point Cornell, J. leaves the bench and is replaced by Dawson, J.

**F052964      People v. Sanchez**

Cause called and argued by Michael Friedman, Esq., counsel for appellant. David Rhodes, Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

**F052566      Lingenfelter v. Winter**

Cause called and argued by Janice Lingenfelter, appellant in propria persona and by Daniel Wainwright, Esq., counsel for respondent.

Cause ordered submitted.

Court recessed until Thursday, July 10, 2008 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Melissa Lopez, Assistant Deputy Clerk.

**F051863      Desman, Inc., v. City of San Joaquin et al.,**

Cause called and argued by Carl A. Sundholm, Esq., counsel for appellant and by Lynne T. Brown, Esq., counsel for respondents.

Cause ordered submitted.

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

Court recessed until Friday, July 11, 2008 at 10:00 A.M.

**F053828      In re Raul M., a Minor**

The above-entitled case is submitted for decision.

**F053828      In re Raul M., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F052467      People v. Hannond**

The judgment is affirmed. Kane, J.

We concur: Levy, Acting P.J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F054049      People v. Ynclan**

The above-entitled case is submitted for decision.

**F054049      People v. Ynclan**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F053469      Martinez v. John A. Barker & Associates et al.**

The order dismissing the action with prejudice and in its entirety is affirmed. Respondents shall recover their costs on appeal. Dawson, J.

We concur: Levy, Acting P.J.; Cornell, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F053888      People v. Wendahl**

The above-entitled case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

- F053888      People v. Wendahl**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F054548      People v. Cruz**  
The above-entitled case is submitted for decision.
- F054548      People v. Cruz**  
The judgment is affirmed.  
By the Court.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F053273      People v. Madrigal**  
The parties' requests for judicial notice are hereby granted. The order denying the motion for a new trial is reversed. The trial court is directed to enter a new order granting Madrigal's motion for a new trial. The matter is remanded to the superior court for further proceedings consistent with this opinion. Any new trial and all further hearings shall be held before a different judicial officer. Cornell, Acting P.J.  
  
We concur: Dawson, J.; Kane, J.  
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F055477      Rose v. Dewall et al.**  
Appellant having failed to deposit the statutory filing fee of \$655.00 as required by rule 8.100( c ), California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.
- F055324      Alejandrina G., v. Superior Court of Stanislaus County; Stanislaus Co. Community Services Agency**  
Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.